

UNITED STATES PRETRIAL SERVICES AGENCY
Eastern District of New York

IN CLERKS OFFICE
U.S. DISTRICT COURT N.Y.
DEC 14 2007
F.M. _____
TIME A.M. _____

MEMORANDUM

DATE: December 10, 2007

TO: Honorable Sandra L. Townes
United States Magistrate Judge

RE: Rodriguez, Pedro
Docket No.: 07-cr-837

Request for Modification of Release Conditions

The above-named defendant was arrested on November 29, 2007, in the Eastern District of New York on charges of Violent Crimes in Aid of Racketeering, in violation of 18 U.S.C. 1959. The defendant made his initial appearance on the same day before U.S. Magistrate Judge Marilyn D. Go and a temporary order of detention was entered. On November 30, 2007, U.S. Magistrate Judge Go released the defendant on a \$200,000 secured bond with the following conditions: 1) Travel is restricted to New York City, 2) Defendant may not associate with any members of the street gang, the Latin Kings or the victim in the case, 3) Surrender passport to Pretrial Services and do not apply for a new one, 4) Report to Pretrial Services as directed, 5) Random home and employment visits by Pretrial Services, 6) Participate in the SOS program as directed by Pretrial Services, 7) Defendant is placed on a curfew from 7:00 pm to 7:00 am subject to adjustments for work.

After reviewing the defendant's case, Pretrial Services finds that Mr. Rodriguez does not qualify for the SOS program due to the nature of the charges in this case. Based on these charges, the defendant does not qualify for a safety valve, therefore, he would not receive any benefits from participating in the SOS program. Another issue which would disqualify Mr. Rodriguez from the program is that he is being charged with a crime of violence, which makes him ineligible for the SOS program.

Based on the above, Pretrial Services recommends that the bail condition of the defendant's participation in the SOS program be removed from the bond. Pretrial Services also requests that all other bail conditions remain in effect. Pretrial Services has spoken with AUSA Dan Silver regarding this request and he agrees.

Prepared by: Donna Mackey
Donna Mackey
U.S. Pretrial Services Officer

Approved by: Sandra V. Givens
Sandra V. Givens
Supervising Pretrial Services Officer

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IT IS THE ORDER OF THE COURT THAT:



The defendant's conditions of release be modified by removing the condition of the defendant's participation in the SOS program from the bond.



No action with regard to the defendant's condition of release is to take place at this time.



Other:

Add condition for electronic monitoring

SO ORDERED,

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s/ SLT _____
Honorable Sandra L. Townes
U.S. District Judge

December 13, 2007
Date

cc: Dan Silva, AUSA
Florian Miedel, Defense Counsel